

at _____ O'clock & _____ min _____ M

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

OCT 14 2005 TB

THERESE BUTHOD, CLERK
United States Bankruptcy Court
Eastern District of Oklahoma

IN RE:

Chapter 13)
Pre-confirmation)
Adequate Protection)
Payments)

General Order Number 50

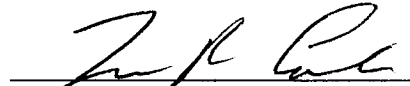
ORDER

IT IS HEREBY ORDERED, that in all Chapter 13 cases filed in this Court on or after October 17, 2005, the following shall apply:

- (1) Payments of personal property leases governed by 11 U.S.C. § 1326(a)(1)(B) shall only be made directly by the debtor to the lessor if the debtor's plan so provides or if no plan provision addresses payment of the debtor's lease obligation. If the plan provides for payment of the lease obligation by the trustee, the debtor shall make the payment as part of the total payment to the trustee, and the trustee shall pay the lessor, both before and after confirmation in the amount set forth in the plan.
- (2) Pre-confirmation adequate protection payments governed by 11 U.S.C. § 1326(a)(1)(C) shall only be made directly by the debtor to the secured creditor if the debtor's plan so provides or if no plan provision addresses payment of the debtor's secured obligation. If the plan provides for payment of the secured claim by the trustee, the debtor shall make the payment as part of the total payment to the trustee, and the trustee shall pay the creditor, both before and after confirmation in the amount set forth in the plan.
- (3) All adequate protection and/or lease payments paid through the Chapter 13 trustee shall be subject to the trustee's statutory percentage fee, as set forth by the designee of the United States Attorney General, and the Chapter 13 trustee shall collect such fee at the time of the distribution of the adequate protection and/or lease payment to the claimant.
- (4) No adequate protection and/or lease payments shall be paid until a proof of claim is filed.
- (5) All adequate protection payments through the Chapter 13 trustee shall be made in the ordinary course of the trustee's business from funds in the case as they become available for distribution to claimants.

- (6) Upon the dismissal or conversion to another chapter of a case prior to the confirmation of a Chapter 13 plan, the Chapter 13 trustee shall make the pre-confirmation adequate protection and/or lease payments, or a portion thereof, from any funds available for that purpose received on or before the date of entry of the order of dismissal or conversion to creditors that have filed proofs of claim prior to the date of dismissal or conversion.
- (7) Where the debtor(s) are making the payments directly to the creditor the debtor(s) shall provide the trustee with evidence of such payment within five (5) days of each such payment.

SO ORDERED this 14th day of October, 2005.



Tom R. Cornish
United States Bankruptcy Judge